

Message Text

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PAGE 01 STATE 097499
ORIGIN EB-08

INFO OCT-01 AF-10 EUR-12 IO-13 ISO-00 SP-02 USIA-06
AID-05 NSC-05 TRSE-00 SS-15 STR-04 OMB-01 CEA-01
L-03 H-01 PA-01 PRS-01 CIAE-00 COME-00 FRB-03
INR-07 NSAE-00 XMB-02 OPIC-03 LAB-04 SIL-01 ITC-01
JUSE-00 /110 R

DRAFTED BY EB/OT/STA:MCJONES:JH
APPROVED BY EB/OT/STA:JSSPIRO
TREAS:THUME
AF/S:WFEATON
EB/ISM:SHAAS
L/EB:SBENSON

-----301826Z 081889 /53

R 292222Z APR 77
FM SECSTATE WASHDC
TO AMEMBASSY PRETORIA
INFO USMISSION GENEVA
USDEL MTN GENEVA
USMISSION OECD PARIS
AMCONSUL JOHANNESBURG
AMCONSUL CAPE TOWN

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CAPETOWN FOR EMBASSY

E.O. 11652: N/A

TAGS: ETRD, SF

SUBJECT: COUNTERVAILING DUTY LITIGATION -- FERROCHROME
FROM SOUTH AFRICA

REF: A) STATE 51434 MARCH 3, 1976 B) STATE 27887 FEBRUARY
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5, 1976 (NOTAL)

1. REFTELS ADVISED POSTS THAT THE PETITIONER (AIRCO) IN
THE COUNTERVAILING DUTY INVESTIGATION OF FERROCHROME FROM
SOUTH AFRICA WISHED TO CONTEST THE NEGATIVE TREASURY
DETERMINATION, WHICH WAS PUBLISHED IN THE FEDERAL REGISTER
OF JANUARY 7, 1976. THE PETITIONER SUBSEQUENTLY FILED A

SUMMONS IN U.S. CUSTOMS COURT, WHICH ESTABLISHED THE
RIGHT TO FILE A COMPLAINT (I.E. BEGIN ACTIVE LITIGATION)
WITHIN TWO YEARS.

2. A COMPLAINT WAS FILED MARCH 9, 1977, ASKING THE
CUSTOMS COURT TO RULE THAT TREASURY HAD ERRED IN NOT RPT
NOT CONSIDERING THAT BOUNTIES OR GRANTS WERE BEING PAID
OR BESTOWED ON FERROCHROME FROM SOUTH AFRICA. THE THREE
COUNTS TO THE COMPLAINT 1) THAT APARTHEID POLICIES RESULT
IN CHEAPER LABOR COSTS, AND THAT BENEFITS ARE ALSO
CONFERRED BY 2) DISCRIMINATORY RAILWAY RATES AND 3)
DISCRIMINATORY ELECTRICITY RATES. THE USG RESPONSE TO THE

COMPLAINT IS DUE MAY 9, 1977. HOWEVER JUSTICE PROPOSES
TO SEEK AN EXTENSION FOR SIXTY DAYS.

3. COPY OF COMPLAINT WILL BE POUCHED. WE WILL ADVISE
POSTS OF FURTHER DEVELOPMENTS.
CHRISTOPHER

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LITIGATION, COUNTERVAILING DUTIES, CHROMIUM
Control Number: n/a
Copy: SINGLE
Sent Date: 29-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE097499
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Document Unique ID: 00
Drafter: MCJONES:JH
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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From: STATE
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1977/newtext/t1977043/aaaaabxd.tel
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Litigation Codes:
Litigation History:
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Handling Restrictions: n/a
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Review Withdrawn Fields: n/a
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Status: NATIVE
Subject: COUNTERVAILING DUTY LITIGATION -- FERROCHROME FROM SOUTH AFRICA
TAGS: ETRD, SF
To: PRETORIA
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/7c238ea0-c288-dd11-92da-001cc4696bcc
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